

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JULIUS THOMPSON,

Plaintiff,

– *against* –

YMY MANAGEMENT  
CORPORATION *and* 92 EQUITIES  
LLC,

Defendants.

**ORDER**

17 Civ. 7496 (ER)

RAMOS, D.J.:

Thompson properly filed a complaint on February 5, 2018. Doc. 13. On April 24, 2019, the Court ordered Thompson to file a status report by May 8, 2019. Doc. 15. On April 6, 2020, the Court again ordered Thompson to file a status report by May 1, 2020, warning that failure to respond would “risk having this action dismissed.” Doc. 16 (citing Fed. R. Civ. P. 4(m)). For the below reasons, the Court dismisses Thompson’s action for failure to execute service under Federal Rule of Civil Procedure 4(m).

“If a defendant is not served within 90 days after the complaint is filed, the court — on motion or on its own after notice to the plaintiff — *must* dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m) (emphasis added).

Given that over two years have passed since the filing of the complaint in this action, and given Thompson has failed to respond to the Court’s warning of the consequences of failure to serve or provide good cause for the lack of service without

response, the Court DISMISSES Thompson's action without prejudice. The Clerk of Court is respectfully directed to terminate any pending motions and to close the case.

It is SO ORDERED.

Dated: July 24, 2020  
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written above a horizontal line.

EDGARDO RAMOS, U.S.D.J.